

**MINUTES**

**MONTANA SENATE  
56th LEGISLATURE - REGULAR SESSION**

**COMMITTEE ON FINANCE AND CLAIMS**

**Call to Order:** By **VICE CHAIRMAN TOM KEATING**, on March 12, 1999  
at 8:01 A.M., in Room 108 Capitol.

**ROLL CALL**

**Members Present:**

Sen. Chuck Swysgood, Chairman (R)  
Sen. Tom Keating, Vice Chairman (R)  
Sen. Tom A. Beck (R)  
Sen. Chris Christiaens (D)  
Sen. William Crismore (R)  
Sen. Eve Franklin (D)  
Sen. Greg Jergeson (D)  
Sen. Bob Keenan (R)  
Sen. J.D. Lynch (D)  
Sen. Dale Mahlum (R)  
Sen. Ken Mesaros (R)  
Sen. Ken Miller (R)  
Sen. Arnie Mohl (R)  
Sen. Linda Nelson (D)  
Sen. Debbie Shea (D)  
Sen. Daryl Toews (R)  
Sen. Mignon Waterman (D)

**Members Excused:** Sen. Mike Taylor (R)

**Members Absent:** None.

**Staff Present:** Shannon Gleason, Committee Secretary  
Clayton Schenck, Legislative Branch

**Please Note:** These are summary minutes. Testimony and  
discussion are paraphrased and condensed.

**Committee Business Summary:**

Hearing(s) & Date(s) Posted: HB 34, HB 258, 3/13/1999  
Executive Action: None

HEARING ON HB 34

Sponsor: REP. JAY STOVALL, HD 16, BILLINGS

Proponents: REP. CAROL JUNEAU, HD 85, BROWNING  
REP. BILL EGGERS, HD 6, CROW AGENCY  
REP. FRANK SMITH, HD 98, POPLAR  
SEN. GREG JERGESON, SD 46, CHINOOK  
Dick Crofts, Commissioner of Higher Education  
Eric Burke, Governor's Office  
Joe McDonald, President of Salish Kootenai College  
Wyman McDonald, Office of Indian Affairs  
Richard Littlebear, President of Northern  
Cheyenne Dullknife Memorial College  
Kathleen Fleury, Blackfeet Tribe  
Stan Juneau, Blackfeet Community College  
Bob Tailfeathers, Blackfeet Community College  
Sami Butler, MT. Nurses Association  
Joann Sagmiller, Salish Kootenai College  
Susan Kinkaid, Salish Kootenai College  
Emily Ferguson-Steger, Student Blackfeet Community  
College  
Ben Darrow, Students, University of MT., MT.  
Tech, and Western Montana College  
Christine Koffman, MT. Human Rights  
Laura Adamson, Student, Blackfeet Community  
College  
Sharon Little Plume, Blackfeet Community College  
Lynette Dupuis, Salish Kootenai College  
Jaymee Johnson White, Salish Kootenai College  
Mary Herak, Salish Kootenai College

Opponents: None

Opening Statement by Sponsor:

REP. JAY STOVALL advised this bill allows a \$1500.00 reimbursement per non beneficiary student attending tribal colleges. REP. STOVALL explained the colleges currently get no allowance for non Indian students attending Tribal Colleges. Tribal colleges exist on all seven of the reservations and are the center of activity for the communities. REP. STOVALL pointed out the state support of \$1,500.00 is low compared to the \$2,500.00 for the university system and \$2,300.00 for community colleges.

**Proponents' Testimony:**

**REP. CAROL JUNEAU** advised the tribal colleges work, are a benefit to Montana, and need assistance. These colleges are accredited strengthen the culture of the tribal groups and the economy of the communities. **REP. JUNEAU** noted if these students attended a community college the cost would be \$2,300.00. The Legislature had previously funded these students in 1995. Education is vital for economic development. **REP. JUNEAU** did not know if she supported the amendments **SEN. JERGESON** was proposing as she had not seen them before today.

**SEN. JERGESON** passed out an amendment for the bill **EXHIBIT(fcs56a01)**. **REP. JERGESON** felt the colleges provide a benefit to all students who attend and the Legislature had an obligation to support non Indian students. **SEN. JERGESON** explained the tables in **EXHIBIT(fcs56a02)** and read **EXHIBIT(fcs56a03)**.

**Dick Crofts**, Commissioner of Higher Education, rose in support of the bill with the amendment and advised the committee he did not want to see the money taken out of the university system because that money was already allotted. **Mr. Crofts** advised if the money was pulled from the university system each university would lose several thousand dollars from their budget and listed each college and how much would be lost. **Mr. Crofts** felt it was right for the state to pay for non Indian students but did not feel it was appropriate for the money to come from the university system.

**Erik Burke**, Governor's Office advised the Governor supported the bill as amended and the Governor did not want to see existing students and colleges effected. **Mr. Burke** noted the Governor feels education is necessary for economic development for the state.

**Joe McDonald**, Salish Kootenay College, felt the colleges served Montana residence and there was a need to have access to colleges close to home, otherwise several students would not be able to attend. **Mr. McDonald** commented it was not the intent to take money from the existing university system and therefore could support the amendments. **{Tape : 1; Side : A; Approx. Time Counter : 8:25}**

**Wyman McDonald**, Office of Indian Affairs, read **EXHIBIT(fcs56a04)**, a letter from **Karyl Lozar**.

**REP. BILL EGGERS** stated Little Big Horn College was in his district and he supported the amendment to the bill. **REP. EGGERS**

noted in the House several students attended the hearing in support of the bill. Many people attend the tribal colleges because they are affordable and close to home. Eight students that attended Little Big Horn College were not Native American. **REP. EGGERS** felt even that small of a number would make a difference to the college because it would allow the college to purchase needed equipment.

**Richard Littlebear**, Dullknife Memorial College rose in support of the bill and amendment. **Mr. Littlebear** advised the college enrollment was up and many of the students were non beneficiary students and the mission statement of the college was to educate everyone. Several of the students attending college were the first in the family to attend. **Mr. Littlebear** noted they did not want to compete with the university system.

**Kathleen Fleury**, Blackfeet Tribe, read **EXHIBIT(fcs56a05)**.

**Stan Juneau**, Blackfeet Community College, read **EXHIBIT(fcs56a06)**.

**Bob Tailfeathers**, Blackfeet Community College, advised there were students from several surrounding communities that attend the college because the tuition cost was lower. There were approximately 40 non Indian students in Blackfeet Community College. **Mr. Tailfeathers** advised the average age is decreasing and many more high school graduates were going on to college.

**Sami Butler**, Mt. Nurses Association, rose in support of the bill because several of the registered nurses graduated or attended tribal colleges. **Ms. Butler** felt Montana was facing a shortage of nurses and this will help to educate Montana residents.

**Joann Sagmiller**, Salish Kootenia College, read **EXHIBIT(fcs56a07)**.  
{Tape : 1; Side : B; Approx. Time Counter : 8:45}

**Susan Kinkade**, Salish Kootenia College, stated she graduated from the college and understood she needed an education in order to support her two boys and stay off of welfare.

**REP. FRANK SMITH** rose in support of the bill and advised during the break he visited with several of the students from the tribal college in his district and 3/4 were non Indian and in support of this bill.

**Emily Ferguson-Steger**, student at Blackfeet Community College, read **EXHIBIT(fcs56a08)**.

**Ben Darrow**, Students Lobbyist, supported the bill as amended and noted education is important for Montana's future. **Mr. Darrow** stressed the students he represented did not want the money taken away from the university system.

**Christine Koffman**, Montana Human Rights, rose in support of the bill.

**Laura Ademson**, Student at Blackfeet Community College, advised she lives on the reservation and attends the college as a non beneficiary student and supported the bill.

**Sharon Little Plume**, Blackfeet Community College, rose in support of the bill and thought the most important role of the colleges was teaching Indians and non Indians how to communicate.

**Lynette Dupuis**, Salish Kootenia College, stated she was a graduate from the college and advised the committee her tenure helped build her confidence and prepare her for future endeavors. **Ms. Dupuis** felt it was a shame the colleges did not get reimbursement from the state and this was a matter of fairness.  
{Tape : 1; Side : B; Approx. Time Counter : 8: 58}

**Jaymee Johnson-White**, alumni Salish Kootenia College, explained the education she received kept her off welfare and enabled her to support her family. **Ms. White** was the only person in her immediate family to graduate from college and without support for the tribal college several people would lose the opportunity for an education and a better future.

**Mary Herak**, Salish Kootenia College, rose in support of the bill and noted the tribal colleges were one place in the state where racial diversity was present and felt it actually improved communications. **Ms. Herak** felt it was admirable for the colleges to have an open door policy and hoped the committee would support the bill.

**Questions from Committee Members and Responses:**

**SEN. LYNCH** wanted to know why if the Governor supported this bill it was not in his budget. **Mr. Burke** advised priorities were made for the resources and there was no money in the Executive Budget for this. **SEN. LYNCH** advised this could have been done through the General Fund.

**SEN. LYNCH** wanted to know what formula **Mr. Crofts** used to decide which college budgets would be cut if this bill passed without the amendments and wanted to know if **Mr. Crofts** supported the

bill as introduced in the House. **Mr. Crofts** advised he opposed the bill in the House.

**SEN. NELSON** wanted a copy of the budget reductions **Mr. Crofts** used in his testimony and asked if the credits were transferable. **Mr. Crofts** advised the credits were transferable and the figures he provided were based on a formula used to break out allocations to universities.

**CHAIRMAN SWYSGOOD** asked if this proposal was part of the budget submitted to the Governor, **Mr. Crofts** advised it was not and it had always been treated as a separate issue.

**Closing by Sponsor:**

**REP. STOVALL** stated his concern was the same as **SEN. LYNCH** and **CHAIRMAN SWYSGOOD**, It was very unfair the tribal colleges were left out of the budget and at the end of each session they were before the Legislature trying to get funds. **REP. STOVALL** advised he was not sure if he supported the amendment as he just received them, and added he felt it was **Mr. Crofts** responsibility to support non Indian students wherever they were enrolled.

**SEN. LYNCH** noted there was a problem with the Fiscal Note that people were not addressing and the amendment was indicating the funds come from the General Fund. **CHAIRMAN SWYSGOOD** thought it was a possibility because the university budget was taken from the General Fund. **Clayton Schenck** advised the Fiscal Note was drafted after the House Appropriations Committee amended the bill.

**HEARING ON HB 258**

***{Tape : 1; Side : B; Approx. Time Counter : 9:28}***

**Sponsor:** **REP. JOHN COBB, SD 50, AUGUSTA**

**Proponents:** None

**Opponents:** None

**Opening Statement by Sponsor:**

**REP. COBB** advised this allocation would allow the Commissioner to update their internet site and passed out **EXHIBIT(fcs56a09)**. Currently the Commissioners' office has a statement on the web

page that advised users they will need to call the office, this allocation will allow the Commissioners' office to place forms and information on the site. **REP. COBB** reviewed what other states have done and noted the cost was too high for Montana, but this was a step in that direction. **REP. COBB** noted the Department of Revenue, other agencies, and the media had an online reporting system and they were willing to assist the Commissioner's office. **REP. COBB** noted the Commissioner did not request this bill and the funding was coming from interest money accumulated from the Social Security funds being returned to the federal government.

**Questions from Committee Members and Responses:**

**SEN. WATERMAN** wanted to know if **MT Prime** was linking all the state agencies. **Linda Vaughey**, Commissioner of Political Practices, advised they had nothing to do with this system. **Ms. Vaughey** explained the date base differences and advised her office would be set up with **MT Prime** for other reporting.

**Closing by Sponsor:**

**REP. COBB** closed.

**SEN. LYNCH** wanted an original copy of **HB 34** as he felt something was going on that was not disclosed. **CHAIRMAN SWYSGOOD** advised the committee those questions would be cleared up prior to executive action on the bill.

**ADJOURNMENT**

Adjournment: 9:40 A.M.

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SEN. CHUCK SWYSGOOD, Chairman

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SHANNON GLEASON, Secretary

CS/SG

**EXHIBIT (fcs56aad)**